



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

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The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.

January 31, 2003

Michael L.F. Buck
McDonough, Holland & Allen
555 Capitol Mall, Suite 950
Sacramento, CA 95814

JANUARY 24, 2003 REQUEST FOR TIME EXTENSION FOR COMPLIANCE WITH DECEMBER 16, 2002 DIRECTIVE TO SUBMIT A WORK PLAN AND CONDUCT A SOIL AND GROUNDWATER INVESTIGATION IN THE VICINITY OF THE FORMER ZAMBELLI FIREWORKS STORAGE BUNKER, CITY OF RIALTO, CALIFORNIA

Dear Mr. Buck:

This is in response to your January 24, 2003 letter and January 29, 2003 telephone call requesting, on behalf of Zambelli Fireworks Internationale (Zambelli), an extension of the compliance deadline included in the above-referenced directive. As you know, our December 16th directive required submittal of a detailed description of Zambelli's historical activities at the site of the bunker formerly used by Zambelli and a work plan for soil and groundwater investigation for perchlorate in the vicinity of the bunker. Our directive required that Zambelli submit these materials by today, January 31, 2003.

Your January 24th letter suggested that the timing of our directive during the holiday season hindered your client's inability to coordinate a response to our directive. You also indicated that the very limited storage operations at the bunker site, which reportedly ended "over 12 years ago," has led to delays in your ability to assemble relevant materials. Lastly, your letter also stated that, since San Bernardino County has already initiated another work plan investigation in the area of the Zambelli bunker, it would not be a "useful exercise" to submit another work plan to investigate the same area.

In response, it must be recognized that our investigation in Rialto concerning parties who may have used or stored perchlorate, or materials containing perchlorate, is extremely important. The groundwater supply for a very large number of citizens in Rialto, Colton and Fontana has been affected by perchlorate pollution related to the use of storage bunkers and related facilities in North Rialto. We will require a response from suspected dischargers commensurate with the threat to the citizens in these areas.

Therefore, in response to your January 24th and 27th requests, we decline to grant Zambelli a time extension. However, we will take into consideration Zambelli's level of

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Mr. Michael L.F. Buck
McDonough, Holland & Allen
Page 2 of 2

effort to comply with the Board's December 16th directive in determining what further response by the Regional Board is warranted. In considering a further enforcement response, the Board will favorably consider a high level of effort and an expeditious response to the directive. We look forward to receiving Zambelli's response at the earliest possible date.

With respect to the concern you expressed related to the usefulness of a work plan for the vicinity of the Zambelli bunker, given that San Bernardino County has initiated an investigation work plan in the nearby area, we suggest that enormous efficiencies of resources might accrue from a cooperative effort between Zambelli and San Bernardino County. It should not be overlooked that they will have drill rigs and soil sampling capability in the vicinity of the bunker formerly used by Zambelli, and we suggest that you contact Peter Wulfman with San Bernardino County Waste Management Division to explore the possibility of a cooperative effort.

Should you have any questions concerning this matter, please call me at 909-782-3284, Bob Holub at 909-782-3298, or Ann Sturdivant at 909-782-4904.

Sincerely,



Gerard J. Thibeault
Executive Officer
Santa Ana Regional Water Quality Control Board

cc. Regional Board
Jorge Leon, SWRCB, Office of the Chief Counsel
George Zambelli, Sr., Zambelli Fireworks Manufacturing Company
Perchlorate Task Force Mailing List

